



## Borough Of Montvale

12 DePiero Drive  
Montvale, NJ 07645  
(201) 391-5700

## Planning Board Minor Subdivision Application

### Application for Minor Subdivision, Classification, and Sketch Plat Review

In Accordance with the provisions of the Montvale Subdivision Ordinance,  
Section 56-5: Definitions: A Minor Subdivision is defined as follows:

Any Subdivision containing not more than 4 lots, each fronting on a street fully improved in accordance with the standards specified in this Ordinance and the Road Improvement Ordinance of the Borough of Montvale, a distance of not less than 100 feet or the full width of each lot, whichever is greater, not involving any new street or road or the extension of the municipal facilities and not adversely affecting the development of the lot to be divided, the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map, Zoning Ordinances, or this Ordinance.

Please note: 17 sets of the completed application form must be submitted to the Board Secretary

Date: \_\_\_\_\_

Please indicate the purpose of this application:

Minor Subdivision Classification

Minor Subdivision Sketch Plat Review

Amendment to Approved Minor Subdivision Sketch Plat

1a. Name of Applicant: \_\_\_\_\_

1b. Street: \_\_\_\_\_

1c. Town /State/Zipcode: \_\_\_\_\_ - \_\_\_\_\_

1d. Phone: \_\_\_\_\_

1e. Email: \_\_\_\_\_

2. Is the above listed applicant:

an individual

a partnership

a corporation

or other \_\_\_\_\_

3. If partnership or corporation, state the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class, or at least 10% of the interest in the partnership, as the case may be:

4. If applicant is represented by a NJ Attorney:

4a. Name of Attorney: \_\_\_\_\_  
4b. Firm: \_\_\_\_\_  
4c. Street: \_\_\_\_\_  
4d. Town /State/Zipcode: \_\_\_\_\_ - \_\_\_\_\_  
4e. Phone: \_\_\_\_\_  
4f. Email: \_\_\_\_\_

5. To whom should correspondence and notices be sent?

5a. Name: \_\_\_\_\_  
5b. Street: \_\_\_\_\_  
5c. Town /State/Zipcode: \_\_\_\_\_ - \_\_\_\_\_  
5d. Phone: \_\_\_\_\_  
5e. Email: \_\_\_\_\_

6. Montvale Tax Assessment Map description of land proposed to be subdivided:

6a. Block: \_\_\_\_\_ 6b. Lot: \_\_\_\_\_  
6c. P.O. Street Address: \_\_\_\_\_  
6d. Nearest Cross Streets: \_\_\_\_\_  
6e. Zone District: \_\_\_\_\_

7. If applicant is not the record owner of the land described in number 6 above, state applicant's legal interest:

Contract purchaser

Contract tenant

Attorney for record owner

Other: Describe: \_\_\_\_\_

8. Purpose of application: (Give a detailed description of the use of the property, present and proposed, including the number of new building lots to be created):

9. Has there been any previous proceedings before the Montvale Planning Board or the Zoning Board of Adjustment regarding the lands described above?

Yes

No

If yes, give the dates, details and disposition of the previous proceedings:

10. Has an application been submitted to the Bergen County Planning Board?

Yes

No

If yes, give the dates, details and status of the application:

If no, state the reason why an application has not been submitted to the Bergen County Planning Board:

11. Are the following documents attached and made a part of this application:

Yes	No	Certification of Applicant
Yes	No	W-9 Form Completed
Yes	No	Affidavit of Consent of Record Owner
Yes	No	Certification of Payment of Taxes (attach copy of certification of tax collector as to status of real property taxes related to subject property)
Yes	No	Completed Subdivision Checklist
Yes	No	Proof of Ownership or Property Interest (set forth and attach copy of deed or other instrument by which sufficient interest in property is claimed to justify application and hearing)

If any of the above items are checked no, state why:

### Application for Modification or Waiver of Site Plan Details

In connection with your application for modification or waiver of site plan details, please set forth:

- A. List the Section(s) of the Subdivision Ordinance requiring Subdivision Details which are purposely omitted from your Site Plan:
- B. Set forth the peculiar conditions applicable to the premises which are the subject of this application or applicable to the proposed construction thereon, which render the omitted details unnecessary to properly evaluate the Plan or Plat:

Application prepared by:	_____
	Name
	_____
	Address
	_____
Signature:	_____
Date:	_____

## Certification of Applicant

I, (We,) the undersigned applicant(s), being duly sworn, upon my (our) oath(s) depose and say that the statement contained herein are true to the best of my (our) knowledge, information and belief.

Signature of Applicant \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

## Certification of Payment of Taxes

Date: \_\_\_\_\_

I, \_\_\_\_\_ Tax Collector of the Borough of  
Montvale, hereby certify that the property taxes on the property known as  
Block(s) \_\_\_\_\_, Lot(s) \_\_\_\_\_, as shown on the Borough Tax  
Assessment Maps, have been paid through the \_\_\_\_\_ quarter and that the  
taxes on the aforementioned property are not past due nor are there any  
penalties, assessments, or interest due or outstanding as of this date.

\_\_\_\_\_  
Signature of Tax Collector

## Checklist for Minor Subdivision Requirements

Date Submitted: \_\_\_\_\_ (30 days before) for  
Meeting on: \_\_\_\_\_  
Latest acceptance date: \_\_\_\_\_ (within 45 days from submission)

### **Plans prepared by:**

Professional Engineer: \_\_\_\_\_  
NJ License #: \_\_\_\_\_  
Land Surveyor: \_\_\_\_\_  
NJ License #: \_\_\_\_\_  
Architect: \_\_\_\_\_  
NJ License #: \_\_\_\_\_

### **Fees and Deposits**

Section 56-11 & 12

Filing fee - see [Fee Schedule](#)

Escrow deposit - see [Fee Schedule](#)

### **Map Requirements**

Fully completed application in duplicate  
Attach all required certifications, affidavits, notices and proofs in duplicate  
Attach 16 "Seal Stamped" copies of sketch plat  
17 Copies of 11"x17" copy of sketch plat also needed to be included in packet

### **Scale and Dimensions**

At least 16" x 26", but not more than 24" x 36"  
Scale 1"=10', 1"=20', 1"=30', 1"=40', 1"=50'

### **Description Data**

Name of applicant  
Name of subdivision, if different than applicant  
Name of owner, if other than applicant  
Tax map sheet, Block and Lot numbers  
North arrow  
Date of preparation of map and revision dates  
Graphic scale and reference meridian  
Zone district in which property is located  
A key map showing the entire subdivisions and its relation to the surrounding area  
(at least within 200' of all property lines of the parcel being subdivided)  
The location of the lots to be created in relation to the entire tract  
All existing structures and wooded areas within the subdivision and within 200' thereof  
All streets and streams within 500' of the subdivision  
The location of all trees exhibiting a diameter of 6" or more measured 4' above the ground  
A delineation of all trees having a diameter of 4" or more proposed to be removed from the new  
lot being created, measured 12" above the ground

Acreage of the entire parcel to be subdivided

Metes and bounds of all property lines of the entire tract and the new lot being created

The area, in square feet, of all lots to be created

Easements, streets, buildings, watercourses, railroad bridges, culverts, drainage pipes,  
rights-of-way, drainage easements and prior

The location of all building setback lines to be established on the proposed lots

Application deemed complete by : \_\_\_\_\_  
Municipal Engineer

Date: \_\_\_\_\_



## **ESCROW AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between \_\_\_\_\_ hereinafter referred to as “Applicant”, and the Planning Board of the Borough of Montvale, hereinafter referred to as “Board”, and the Council of the Borough of Montvale, hereinafter referred to as “Borough”.

**WHEREAS**, the Applicant is proceeding under the Zoning Ordinance/Land Development Ordinance for approval of a \_\_\_\_\_; and

**WHEREAS**, the Ordinance requires the Applicant to establish an escrow whereby work required to be performed by professionals employed by the Board will be paid for by the Applicant as required under the provisions of the Ordinance cited above; and

**WHEREAS**, both parties feel that it is appropriate to reduce this understanding to written form.

**WITNESSETH: IT IS** mutually agreed between the parties that:

**Section 1. Purposes**

The Board authorizes its professional staff to review, inspect, report and study all plans, documents, statements, improvements, and provisions made by the Applicant in conforming to the requirements of the Ordinance cited and referred to above. The Board directs its professional staff to make all oral and/or written reports to the Board of its conclusions and findings derived from the review, study, and investigation and like or similar duties performed as elsewhere authorized. The Applicant agrees to pay all reasonable professional fees incurred by the Board for the performance of the duties outlined above.

**Section 2. Escrow Established**

Applicant, Borough, in accordance with the provisions of this agreement, hereby create an escrow to be established with the Treasurer of the Borough of Montvale and to be maintained in a banking institution or savings and loan association in this State insured by an agency of the federal government, or in any other fund or depository approved for such deposits by the State, in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits.

**Section 3. Escrow Funded**

Applicant by execution of this agreement shall pay to the Borough, to be deposited in the depository referred to in Section 2, such sums as are required by the Zoning Ordinance/Land Development Ordinance. The applicant shall be notified by the Borough in writing of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. Execution of this agreement by the Borough acknowledges receipt of the sums referred to under this paragraph.

**Section 4.**     *Increase in Escrow Fund*

If during the existence of this agreement the funds held by the Borough shall be insufficient to cover any voucher or bills submitted by the professional staff and reviewed and approved by the Board, Applicant shall within fourteen (14) days from the date of receipt of written notice deposit additional sums with the Borough to cover the amount of the deficit referred to above. During this period the professional staff shall cease all review activities. The written notice shall be sent by the Treasurer setting forth the amount of the deficit and the member or members of the professional staff to whom the additional sums are due. Unless otherwise shown, receipt shall be presumed to have occurred within three (3) days after mailing.

**Section 5.**     *Submission of Vouchers by Professional Staff*

The professionals referred to in this agreement, upon the completion of their services or periodically during the performance of their services, shall submit vouchers conforming to the requirements established by the Borough for vouchers of the type and kind referred to under this paragraph. Said vouchers shall include the total of all fees and costs incurred as a result of the services set forth under Section 1 of this agreement and shall contain a brief description of the services including the Block and Lot, and name of application, which have been rendered by the professional concerning the applicant's application.

**Section 6.**     *Board Review*

The Treasurer shall review all vouchers to determine whether they have been submitted in the appropriate form. If the Treasurer determines that the vouchers are in the appropriate form then the vouchers shall be submitted to the Land Use Administrator for review to determine whether the services have been performed in the manner and to a degree required by this agreement. The Treasurer shall process said vouchers in the same manner and under the same terms as are normally employed for vouchers submitted for work performed on behalf of the Borough. Following the determination by the board that services have been performed properly, the Treasurer shall mail a copy of each approved voucher to the Applicant. At the conclusion of this processing the amounts specified in said vouchers shall be deducted by the Borough from the escrow established pursuant to the agreement.

**Section 7.**     *Applicant's Objection*

It is expressly agreed by the Applicant that the right to object to the payment of any voucher is hereby expressly waived unless written notice is received by the Land Use Administrator by certified mail no later than three (3) days prior to the next regularly scheduled Board meeting following the meeting in which the contested voucher of vouchers had been approved. The writing notice shall have accompanying it a copy of each voucher being objected to. The standard of review to be utilized by the Land Use Administrator and Planning Board Chairman in determining whether the payment of any voucher is proper is whether the fees incurred are reasonable and whether the work has been performed properly. It is furthermore understood that the Applicant shall have the right to make periodic inspections of the records maintained by the Borough during normal office hours to determine the status of the escrow account.

**Section 8.**     *Interest Allocations*

Except as otherwise set forth hereinafter all interest earned on money deposited pursuant to this agreement which shall be held in escrow shall become the property of the Borough as compensation for administrative services rendered in connection with this agreement. An Applicant shall be entitled to payment of interest whenever the Applicant shall have deposited an amount of money in excess of \$5,000.00 and the amount of interest paid on that money shall exceed \$100.00 for the year. If the amount of interest exceeds \$100.00, that entire amount shall belong to the Applicant and shall be refunded by the Borough annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be, i.e., for professional services rendered to review applications for development, for municipal inspection fees pursuant to N.J.S.A. 40:55D-53 or to satisfy the guarantee requirements of 40:55D-53.a., however at that time the Borough shall deduct 33 1/3% of the interest for administrative and custodial expenses incurred by the Borough in fulfilling its obligations pursuant to this agreement.

**Section 9.**     *Refund*

In the event that the escrow sums posted are more than those required, or in the event that the Applicant shall abandon the application, excess funds shall be returned to the Applicant within ONE HUNDRED AND TWENTY(120) days of the issuance of the final certificate of occupancy for the project which is the subject of the application or receipt of written notice of the abandonment of the application. Prior to the issuance of the final certificate of occupancy for any project for which Board approval has been received or upon receipt of written notice of abandonment of an application, the Treasurer shall determine from the professional staff whether there are any additional sums required to be paid from the escrow fund. In the event that there are, monies will be held by the Treasurer until notice is received by the professionals, Environmental Commission, Land Use Administrator and Construction Code Official that work has been completed.

**Section 10.**    *Failure to Maintain Escrow Fund*

In the event that notice has been sent to the Applicant and the Applicant has failed to pay the increased amount into the escrow fund within the time period set forth in Section 4 then the Board shall cease further consideration of the application or of any other then pending application of the Applicant until the additional sum is given to the Treasurer for deposit into the escrow fund. The Applicant hereby expressly consents to a continuance of the statutorily mandated period for completion of Board review pursuant to the Municipal Land Use Law for a period of forty-five (45) days from the date of the notice from the Land Use Administrator and hereby expressly consents to an automatic rejection of Applicant's application without prejudice and without any further action by the Board if within said period the additional sum has not been given to the Treasurer.

Furthermore, in the event that notice has been sent to the Applicant and the Applicant has failed to pay the increased amount into the escrow fund within the time period set forth in Section 4 and Board review of the application has been completed, the Applicant is hereby placed on notice that the Borough

will not cause certificates of occupancy to be issued and may take such further action including, but not limited to, refusing to perform any and all further inspection, issuance of stop work orders and other relief as may be necessary, including a lien on the subject property.

**Section 11.**     Performance Escrow – Inspections

The provisions of this agreement shall apply to the performance escrow for inspection to be paid to the Borough. The performance escrow shall be posted prior to construction of an onsite, offsite, on-tract or off-tract improvement. The amount of the escrow shall be 10% of the cost of improvements as calculated by the Board’s Engineer.

The Applicant hereby agrees that the Board Engineer will be notified in writing forty-eight (48) hours prior to the start of any construction. Failure of the Applicant to provide such notice may result in additional inspection costs.

**Section 12.**     Addresses to which Notices are to be Sent

All notices required by this agreement in writing shall be sent to the following addresses:

Borough of Montvale  
Treasurer and Land Use  
Administrator  
12 Mercedes Drive  
Montvale, NJ 07645  
201-391-5700

Address of Applicant:

<hr/>		
NAME		
<hr/>		
ADDRESS		
<hr/>		
MUNICIPALITY	STATE	ZIP CODE
<hr/>		
TELEPHONE NUMBER		

above.